

Appl. No. : 10/790,932  
Filed : March 2, 2004

### AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims.

1. **(Previously Presented)** An off-road vehicle comprising a frame, a plurality of wheels supporting the frame, at least two seat assemblies disposed side by side on the frame, the seat assemblies being spaced apart from each other to define a space therebetween, an internal combustion engine powering the wheels, at least a portion of at least one of the two seat assemblies overlapping a portion of the engine as viewed from above, ~~a portion of the engine being positioned vertically below a portion of the at least two seat assemblies,~~ the engine comprising an air intake port, the air intake port being in direct communication with a combustion chamber, and an air intake system delivering air to the intake port, at least a portion of the air intake system extending through the space.
2. **(Original)** The off-road vehicle as set forth in Claim 1, wherein the engine is disposed generally adjacent to the seat assemblies, the engine having a front surface generally facing the space with the intake port opening at the front surface.
3. **(Original)** The off-road vehicle as set forth in Claim 2, wherein the engine has a portion positioned generally at a rear end of the space, the portion comprising the intake port.
4. **(Original)** The off-road vehicle as set forth in Claim 3, wherein the intake system extends generally forwardly from the intake port.
5. **(Original)** The off-road vehicle as set forth in Claim 4, wherein the intake system comprises a throttle body, the throttle body comprising a throttle valve, the throttle body being at least partially disposed within the space.
6. **(Original)** The off-road vehicle as set forth in Claim 5, wherein the intake system comprises an air intake duct disposed upstream relative to the throttle body, the intake duct generally extending forwardly from the throttle body and a forward portion of the intake duct extending downwardly.
7. **(Original)** The off-road vehicle as set forth in Claim 6, wherein the seat assemblies define a top surface and a forward surface, the intake duct extending generally along the top and forward surfaces.
8. **(Original)** The off-road vehicle as set forth in Claim 6, wherein the intake duct comprises an accumulator disposed between the throttle body and the balance of the intake duct,

an inner diameter of the accumulator being greater than an inner diameter of the balance of the intake duct.

9. **(Original)** The off-road vehicle as set forth in Claim 6 additionally comprising a floorboard extending at least forwardly from a base portion of the seat assemblies, the intake duct further comprising a portion that extends forwardly of the seat assemblies at a location generally below a portion of the floorboard.

10. **(Original)** The off-road vehicle as set forth in Claim 9, wherein the floorboard comprises an upward projection that defines a tunnel, the intake duct extending within at least a portion of the tunnel.

11. **(Original)** The off-road vehicle as set forth in Claim 9, wherein the intake system comprises an air cleaner unit that is connected to the intake duct.

12. **(Original)** The off-road vehicle as set forth in Claim 11 additionally comprising a hood covering at least a forward portion of the frame, the air cleaner unit being disposed below the hood.

13. **(Original)** The off-road vehicle as set forth in Claim 3, wherein the seat assemblies define a top surface, at least a portion of the engine being disposed lower than the top surface.

14. **(Original)** The off-road vehicle as set forth in Claim 13, wherein the seat assemblies define a rear surface, at least a portion of the engine being disposed forward of the rear surface.

15. **(Original)** The off-road vehicle as set forth in Claim 3, wherein the seat assemblies define a rear surface, at least a portion of the engine being disposed forward of the rear surface.

16. **(Original)** The off-road vehicle as set forth in Claim 2, wherein the engine comprises an exhaust port communicating with the combustion chamber, the engine comprising a rear surface and the exhaust port opening through the rear surface.

17. **(Original)** The off-road vehicle as set forth in Claim 16 additionally comprising an exhaust system, the exhaust system extending rearward from the exhaust port that opens through the rear surface.

Appl. No. : 10/790,932  
Filed : March 2, 2004

18. **(Original)** The off-road vehicle as set forth in Claim 1, wherein the wheels comprise a balloon tire.

19. **(Original)** The off-road vehicle as set forth in Claim 1, wherein a pair of front wheels and a pair of rear wheels support the frame.

20. **(Currently Amended)** An off-road vehicle comprising a frame, a plurality of wheels supporting the frame, at least two seat assemblies disposed side by side on the frame, the seat assemblies being spaced apart from each other to define a space therebetween, and an internal combustion engine powering at least one of the plurality of wheels, at least a portion of at least one of the two seat assemblies overlapping a portion of the engine as viewed from above, ~~at least a portion of the engine being positioned vertically below a portion of the seat assemblies~~, the engine comprising an air intake port and a combustion chamber, the air intake port communicating with a combustion chamber, the engine having a surface disposed within the space and the air intake port being at least partially positioned on the surface.

21. **(Original)** The off-road vehicle as set forth in Claim 20, wherein the engine comprises an exhaust port communicating with the combustion chamber, the engine also comprises a second surface that is positioned generally opposite to the first surface, the exhaust port being at least partially positioned on the second surface.

22. **(Original)** The off-road vehicle as set forth in Claim 21 additionally comprising an air intake system coupled with the intake port, at least a portion of the intake system extending through the space.

23. **(Original)** The off-road vehicle as set forth in Claim 21 additionally comprising an exhaust system coupled with the exhaust port, the exhaust system extending generally away from the space.

24. **(Previously presented)** The off-road vehicle as set forth in Claim 1, wherein the seat assemblies are fixed to the frame.

25. **(Previously presented)** The off-road vehicle as set forth in Claim 1, wherein the engine comprises a cylinder block, the cylinder block positioned over a transmission housing, the air intake system generally being positioned forward of the cylinder block and over a portion of the transmission housing.

**Appl. No.** : **10/790,932**  
**Filed** : **March 2, 2004**

26. **(Previously presented)** The off-road vehicle as set forth in Claim 20, wherein the seat assemblies are fixed to the frame.

27. **(Previously presented)** The off-road vehicle as set forth in Claim 1, wherein the engine comprises a cylinder block, the cylinder block positioned over a transmission housing, the air intake port forming a portion of an air intake system, the air intake system generally being positioned forward of the cylinder block and over a portion of the transmission housing.

28. **(New)** The off-road vehicle as set forth in Claim 1, wherein at least one of the two seat assemblies comprises a seat.

29. **(New)** The off-road vehicle as set forth in Claim 28, wherein the seat is supported by an underlying support structure.

30. **(New)** The off-road vehicle as set forth in Claim 29, wherein the underlying support structure comprises a seat pedestal.

31. **(New)** The off-road vehicle as set forth in Claim 30, wherein the frame comprises a rear frame section and the rear frame section forms at least a portion of the seat pedestal.

32. **(New)** The off-road vehicle as set forth in Claim 1, wherein at least one of the two seat assemblies comprises a seat pedestal.

33. **(New)** The off-road vehicle as set forth in Claim 32, wherein the seat pedestal supports a seat and the seat comprises a seat cushion.

34. **(New)** The off-road vehicle as set forth in Claim 1, wherein at least one of the two seat assemblies comprises a seat cushion, an upper surface of the seat cushion defining a generally horizontal plane and at least a portion of the air intake system being disposed higher than the generally horizontal plane.

35. **(New)** The off-road vehicle as set forth in Claim 20, wherein at least one of the two seat assemblies comprises a seat.

36. **(New)** The off-road vehicle as set forth in Claim 35, wherein the seat is supported by an underlying support structure.

37. **(New)** The off-road vehicle as set forth in Claim 36, wherein the underlying support structure comprises a seat pedestal.

38. **(New)** The off-road vehicle as set forth in Claim 37, wherein the frame comprises a rear frame section and the rear frame section forms at least a portion of the seat pedestal.

**Appl. No.** : **10/790,932**  
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39. (New) The off-road vehicle as set forth in Claim 20, wherein at least one of the two seat assemblies comprises a seat pedestal.

40. (New) The off-road vehicle as set forth in Claim 39, wherein the seat pedestal supports a seat and the seat comprises a seat cushion.

41. (New) The off-road vehicle as set forth in 20, wherein at least one of the two seat assemblies comprises a seat cushion, an upper surface of the seat cushion defining a generally horizontal plane and at least a portion of the air intake system being disposed higher than the generally horizontal plane.

42. (New) An off-road vehicle comprising a frame, two front wheels and two rear wheels supporting the frame, a first seat assembly disposed on the frame, a second seat assembly disposed on the frame, the first seat assembly comprising a first seat and a first seat supporting member, the second seat assembly comprising a second seat and a second seat supporting member, the first and second seat assemblies being laterally separated from each other such that a space is defined between the first and second seat assemblies, an engine being positioned within the space, the engine extending partially under at least one of the first and second seat assemblies, an air intake system communicating with the engine and being positioned at least partially between the first and second seat assemblies.

43. (New) The off-road vehicle of Claim 42, wherein the first seat assembly further comprises a seat cushion and a portion of the air intake system is positioned higher than a generally horizontal plane defined by a top surface of the seat cushion.